



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Alan FOLMSBEE )  
 )  
 )  
Application No: 09/376,654 )  
 )  
 )  
Filed: August 18, 1999 )  
 )  
For: SECURE PROGRAM EXECUTION )  
DEPENDING ON PREDICTABLE )  
ERROR CORRECTION )

Group Art Unit: 2132  
Examiner: LANIER, B. E.  
Atty. Docket No: SUNMP210  
(Previously, 5437-076/P41)  
Date: March 11, 2005

03/16/2005 HALI11 00000045 09376654  
01 FC:1401 500.00 DP

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on March 11, 2005.

Signed: Cynthia Dawn

Cynthia Dawn

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS AND INTERFERENCES

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed December 15, 2004 finally rejecting Claims 1, 3, 4, 13, 17, and 18.

The item(s) checked below are appropriate:

Appeal Fee: ☐ \$250.00 (Small Entity) ☒ \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Attorney Docket No.: SUNMP210

| <u>Months</u>                  | <u>Large Entity</u> | <u>Small Entity</u> |
|--------------------------------|---------------------|---------------------|
| <input type="checkbox"/> one   | \$120.00            | \$ 60.00            |
| <input type="checkbox"/> two   | \$450.00            | \$225.00            |
| <input type="checkbox"/> three | \$1,020.00          | \$510.00            |

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for \_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Total Fee Due

Notice of Appeal Fee \$500.00

Extension Fee (if any) \$ 0.00

Total Fee Due \$500.00

☒ Enclosed is Check No. 13681 in the amount of \$500.00.

☒ Charge any additional fees or credit any overpayment to Deposit Account No. 50-0805, (Order No. SUNMP210). Two additional copies of this Notice are enclosed.

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, LLP

  
Leonard Heyman  
Reg. No. 46,782

710 Lakeway Drive, Suite 200  
Sunnyvale, CA 94085  
Tel: (408) 774-6933  
Fax: (408) 749-6901  
Customer No. 32291

Attorney Docket No.: SUNMP210